Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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THE 1995 RESOLUTION ON THE MIDDLE EAST

Working paper submitted by Algeria on behalf of the States members of the League of Arab States

The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted a package consisting of three decisions and a resolution on the Middle East.

The members of the League of Arab States, which are all parties to the Treaty, submitted two working papers on the resolution on the Middle East during the first and second sessions of the Preparatory Committee for the 2000 Review Conference, which were held in New York in 1997 and in Geneva in 1998, respectively. The Arab States aim, by presenting this new paper, to reiterate vehemently their position pertaining to ways and means of ensuring the full implementation of the provisions of the 1995 resolution on the Middle East.

The adoption by consensus of a resolution on the Middle East sponsored by the three depository States, the Russian Federation, the United Kingdom and the United States of America, and the fact that it was the only resolution adopted by the 1995 Review and Extension Conference concerning a specific region, is a clear expression by the States Parties of their concern over the seriousness of the situation in the Middle East resulting from the existence of unsafeguarded Israeli nuclear facilities in the region and ambiguous nuclear policies endangering regional and international peace and security.

Since May 1995, specific positive developments have taken place and should be taken into consideration. These are:

1. All States of the Middle East have become parties to the Treaty expect Israel, the only State in the region that is not yet party to the Treaty and has not declared its intention to become a party;

2. The continued adoption by consensus, for the nineteenth consecutive year, of a resolution by the United Nations General Assembly calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East;

3. The ever-growing overwhelming support for General Assembly resolution 53/80, entitled "The risk of nuclear proliferation in the Middle East", which calls upon Israel, the only State in the Middle East that has not yet become party to the Treaty and has not declared its intention to do so, to accede to the Treaty without further delay and not to develop, produce, test or otherwise acquire nuclear weapons, and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards. This support reflects the increased concern of the international community resulting from the fact that Israel continues to defy repeated calls to accede to the Treaty;

4. The unanimous adoption by the United Nations Disarmament Commission, at its 1999 substantive session, of guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, where the establishment of a nuclear-weapon-free zone in the Middle East as well as the development of zones free from all weapons of mass destruction was encouraged.

Despite the fact that all Arab States are in compliance with the provisions of the Treaty as well as the 1995 resolution on the Middle East, it remains evident that their accession to the Treaty did not provide them with the necessary security requirements in the wake of the continuing Israeli nuclear threat and its defiance of the repeated calls of the international community, most notably its flagrant defiance of Security Council resolution 487 (1981), by refusing to accede to the Treaty and to place all its nuclear facilities under IAEA full-scope safeguards. It must be recalled that the Arab delegations at the 1995 Review and Extension Conference clearly voiced this concern at the time of the adoption of the 1995 package outcome as a whole.

The readiness demonstrated by the Arab States to take practical steps towards the establishment of an effectively verifiable Middle East zone free from all weapons of mass destruction - nuclear, chemical and biological - and to refrain from taking any measures that preclude the achievement of this objective in accordance with paragraph 5 of the 1995 resolution on the Middle East as well as paragraph 14 of Security Council resolution 687 (1991) should not go unnoticed.

The 2000 Review Conference, pursuant to paragraph 7 of the 1995 decision 1, on the strengthening of the review process, should look forward as well as back and evaluate the results of the period under review, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which and the means through which further progress should be sought in the future.

It is therefore imperative that the Preparatory Committee address this important issue with a view to redressing the existing imbalance prevailing in the Middle East region. This third session of the Preparatory Committee should include in its report a solemn declaration to the 2000 Review Conference urging Israel to accede to the Treaty without further delay and to place all its nuclear facilities under IAEA safeguards.

All States parties to the Treaty, in particular the nuclear-weapon States, have to shoulder their responsibilities, extend their cooperation and exert their utmost efforts to achieve the full implementation of the said resolution. The role of the three depository States in fulfilling their primary responsibilities as sponsors of the 1995 resolution on the Middle East is crucial in implementing faithfully and achieving the goals of the resolution on the Middle East. They are requested to indicate at this Preparatory Committee and the 2000 Review Conference the measures they have taken to ensure the full implementation of the resolution and the realization of its objectives.

The nuclear-weapon States, in conformity with their obligations under Article 1 of the Treaty, are requested to undertake not to transfer nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly or indirectly to Israel, and to further undertake not to in any way assist, encourage or induce Israel to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices under any circumstances whatsoever.

All States parties to the Treaty, in conformity with the seventh preambular paragraph and Article 4 of the Treaty, should declare their commitment to exclusively prohibit the transfer of all nuclear-related equipment information, material and facilities, resources or devices and the extension of know-how or any kind of assistance in the nuclear, scientific or technological fields to Israel as long as it remains a non-party to the Treaty and has not placed all its nuclear facilities under full-scope IAEA safeguards.

The Arab States recommend that the 2000 Review Conference establish a subsidiary body to its Main Committee II to consider and recommend proposals on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference.

The members of the League of Arab States reaffirm once again, their determination to exert their utmost efforts with a view to ensuring the early establishment in the Middle East of a zone free from nuclear weapons as an important step towards the realization of a zone free of all weapons of mass destruction. All States parties to the Treaty, in particular the nuclear-weapon States, have to extend their cooperation to achieve the full implementation of the resolution on the Middle East.